

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1484-01
Bill No.: HB 567
Subject: Licenses—Professional; Economic Development Department
Type: Original
Date: February 6, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Department of Economic Development–Division of Professional Registration**, the **Office of Administration–Administrative Hearing Commission**, the **Office of State Courts Administrator**, and the **Office of Prosecution Services** assume the proposal would have no fiscal impact on their agencies.

This bill makes various changes to different boards supervised by the Division of Professional Registration. The **Office of the Secretary of State (SOS)** assumes the Division of Professional Registration will promulgate rules to implement this bill. Based on experience with other divisions, the rules, regulations and forms issued by the Division of Professional Registration could require as many as approximately 32 pages in the Code of State Regulations. For any given rule, roughly half again as many pages are published in the Missouri Register as in the Code because cost statements, fiscal notes and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the Missouri Register is \$23.00. The estimated cost of a page in the Code of State Regulations is \$27.00. The actual costs could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

For the purposes of this proposed legislation, the **Office of the State Public Defender (SPD)** has assumed that existing staff could provide representation for those few cases arising where indigent persons were charged with fraud to obtain licenses. However, passage of more than one similar bill would require the SPD to request increased appropriations to cover the cumulative costs of representing the indigent accused in these additional cases.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This bill allows the Missouri Board for Occupational Therapy and the State Committee of Dietitians to refuse to issue or renew certificates of registration and have complaints filed with the Administrative Hearing Commission against licensees for the following reasons: use or possession of controlled substances or alcohol abuse; being found guilty in a criminal prosecution for any offense related to the qualifications, functions, and duties of their profession; the use of fraud or deception in securing a certificate to practice or obtaining permission to sit for a licensure exam; obtaining or attempting to obtain compensation through fraud; incompetency, misconduct, misrepresentation, or gross negligence; violations of rules adopted by the board; and unethical conduct. Terms of suspension, revocation, and renewal are provided in the bill.

Persons holding themselves out as being a licensed dietitian without being duly licensed are guilty of a class A misdemeanor.

The Director of Professional Registration is given the authority to promulgate rules and regulations regarding hygienic practices and sanitary operations for branding and body piercing.

The bill increases the amount of funds that must accumulate in the Clinical Social Workers Fund before transferral to the General Revenue Fund is required when the Committee on Social Workers requires renewal of licenses less frequently than annually.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State
Department of Economic Development
 Division of Professional Registration
Office of the State Public Defender
Office of Administration
 Administrative Hearing Commission
Office of State Courts Administrator
Office of Prosecution Services

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "e" at the end.

Jeanne Jarrett, CPA
Director
February 6, 2001